IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

WP(C).No. 20925 of 2007(N)

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PETITIONER:

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N.VIJAYAKUMAR, LIBRARIAN GR.I(HG),
GOVT. AYURVEDA COLLEGE, THIRUVANANTHAPURAM-695001
(UNDER ORDERS OF TRANSFER TO THE GOVT.
ENGINEERING COLLEGE, THRISSUR).

BY ADV. SRI.S.JAMES VINCENT

RESPONDENTS:

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1. THE STATE OF KERALA, REP. BY THE
PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-1.

2. THE DIRECTOR,
AYURVEDA MEDICAL EDUCATION,
THIRUVANANTHAPURAM.

3. G.S.HARIKUMAR, LIBRARIAN GR.I(HG),
GOVT. ENGINEERING COLLEGE, THRISSUR (UNDER ORDERS
OF TRANSFER TO GOVERNMENT AYURVEDA COLLEGE,
THIRUVANANTHAPURAM-1)

4. P.K.SUDHEENDRAN NAIR, LIBRARIAN GR.I,
GOVERNMENT B.ED. TRAINING COLLEGE,
THIRUVANANTHAPURAM.

5. UNNIKRISHNAN, LIBRARIAN GR.I,
CENTRAL LIBRARY, SECRETARIAT,
THIRUVANANTHAPURAM.

6. N.LOVEKUMAR, LABRARIAN GR.I,
GOVERNMENT ENGINEERING COLLEGE,
THIRUVANANTHAPURAM.

7. SREEKUMARI AMMA, LIBRARIAN GR.I,
CENTRAL POLYTECHNIC, VATTIYOORKAVU,
THIRUVANANTHAPURAM.

8. C.S.JAYAKUMARI, LIBRARIAN GR.I,
POLICE TRAINING COLLEGE, THYCAUD,
THIRUVANANTHAPURAM.

9. RADHA V.NAIR, LIBRARIAN GR.I,
GOVT. LAW COLLEGE, BARTON HILL,
THIRUVANANTHAPURAM.

10. JOSEPH GEORGE, GOVT.ENGINEERING COLLEGE,
BARTON HILL, THIRUVANANTHAPURAM.

BY SR. GOVT. PLEADER SRI. T.T. MUHAMOOD
ADV. SRI.G.SUDHEER
SRI.VIJAYAN. K.U.
SRI.K.N.SREEKUMARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 20925/07

APPENDIX

PETITIONER'S EXHIBITS:

| | |
|---|---|
| EXT.P1. | COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT ON 7.4.07 |
| EXT.P1(a). | COPY OF THE COVERING LETTER NO.E2/2818/07/AVC DT. 9.4.07 ADDRESSED BY THE PRINCIPAL, GOVT. AYURVEDA COLLEGE, THIRUVANANTHAPURAM TO THE GOVT. |
| EXT.P2. | COPY OF THE GO(Rt) 1238/2007/H.Edn. DT. 4.7.07 |

/TRUE COPY/

PA TO JUDGE.

**A.K. BASHEER, J.**

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**W.P.(C). NO. 20925 OF 2007**

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Dated this the 2nd day of August, 2007

**J U D G M E N T**

Petitioner, who is a Librarian Gr.I (HG), impugns Ext.P2 order issued by respondent No.1, by which he has been transferred to Govt. Engineering College, Thrissur from Govt. Ayurveda College, Thiruvananthapuram.

2. It is contended by petitioner that he had made a request to the Govt. in April 2007, to retain him in Govt. Ayurveda College, Thiruvananthapuram, or in any other college within the limits of Thiruvananthapuram Corporation. His grievance is that the said request contained in Ext.P1 had been overlooked by the Govt. while issuing Ext.P2 order. Petitioner has also contended that some of his juniors have been given a preferential treatment while issuing Ext.P2 order. This contention is of course vehemently opposed by respondent No.6.

3. Learned Government Pleader points out that petitioner had been working in Thiruvananthapuram ever since 1996 and understandably it was therefore that the request made by him might

not have been favourably considered by respondent No.1.

4. Anyhow, I do not propose to deal with the contentions raised by petitioner any further, in view of the limited prayer made by learned counsel for the petitioner at the Bar. He submits that petitioner is prepared to submit a representation before respondent No.1 highlighting his grievances. Petitioner is entitled to do so, if he is so advised.

5. If the petitioner submits a representation within one month form the date of receipt of a copy of this judgment, the same shall be considered by respondent No.1 strictly on its merit and in accordance with the norms, regulations etc., governing the filed of transfer. Needless to mention that apart from the petitioner, respondents 3 to 10 and all others who are likely to be affected by any order that may be passed shall also be afforded sufficient opportunity to be heard before taking any decision in the matter.

The writ petition is disposed of as above.

**A.K. BASHEER, JUDGE**

vps

**A.K. BASHEER, JUDGE**

**OP NO.20954/00**

**JUDGMENT**

**1ST MARCH, 2007**